

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: H. Boehm

Application No.: 10/602,075

Group Art Unit: 2863

Filed: June 24, 2003

Examiner: K. Shah

For: METHOD FOR MATCHING GOLFERS WITH A DRIVER AND BALL

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321(c)

Mail Stop Non-Fee Amendment
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Petitioner, Sean P. O'Hanlon, represents that he is one of the attorneys of record representing Acushnet Company, the assignee of the entire right, title and interest in and to the above-identified application by virtue of an assignment from Herbert C. Boehm to Acushnet Company, recorded on June 24, 2003 at Reel 014239, Frame 0457.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application (the '075 application) that would extend beyond any of the expiration dates of U.S. Patent No. 6,658,371 (the '371 patent), filed on February 24, 2003, U.S. Patent No. 6,611,792 (the '792 patent), filed on September 30, 2002, U.S. Patent No. 6,490,542 (the '542 patent), filed on April 16, 2002, U.S. Patent No. 6,385,559 (the '559 patent), filed on February 5, 2001, and U.S. Patent No. 6,192,323 (the '323 patent), filed on May 21, 1999, and hereby agrees that any patent so granted on the '075 application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal titles to each of the '371, '792, '542, '559, and '323 patents.

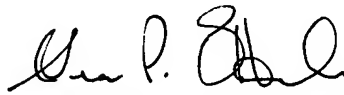
Petitioner further agrees that this agreement is to run with any patent granted on the '075 application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the '075 application prior to the expiration date of the full statutory terms of each of the '371, '792, '542, '559, and '323 patents in the event that any of such patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title as stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of Acushnet Company.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: March 3, 2004

By: 
Sean P. O'Hanlon, Registration No. 47,252
Attorney for Assignee Acushnet Company

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